

FORM PTO-1390  
(REV. 5-93)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

VO-709

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

**10/528087**

INTERNATIONAL APPLICATION NO.

PCT/EP2004/003094

INTERNATIONAL FILING DATE

24 March 2004

PRIORITY DATE CLAIMED

04 April 2003

TITLE OF INVENTION

STAND

APPLICANT(S) FOR DO/EO/US

Paul ROOT


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND OR SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ has been transmitted by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)). (verified)
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☒ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). (verified)
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (3 pages, executed, attached to a copy of the International Application)
  10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (3 pages total)
  13. ☒ A **FIRST** preliminary amendment. (9 pages)  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  14. ☒ A substitute specification. (attached to a red-ink marked-up version of the English language translation)
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information:
    - Form PCT/IB/301
    - Form PCT/IB/304
    - Form PCT/ISA/210 (English language version, 3 pages)
    - Transmittal of Substitute Specification (2 pages)
    - Certificate of Mailing by Express Mail (2 pages)
    - Return Receipt Postcard

EXPRESS MAIL NO.: EV478067814US

MAILED: 16 March 2005

CUSTOMER NO.: 42419

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/528087</b>		INTERNATIONAL APPLICATION NO. PCT/EP2004/003094		ATTORNEY'S DOCKET NUMBER VO-709	
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Basic National Filing Fee ..... \$ 300.00 National Stage Search Fee ..... \$ 500.00 National Stage Examination Fee ..... \$ 200.00				CALCULATIONS <span style="float: right;">PTO USE ONLY</span>	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	*13	0	X \$50.00		
Independent claims	*1	0	X \$200.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00		
TOTAL OF ABOVE CALCULATIONS =				\$ 1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	
SUBTOTAL =				\$ 1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
TOTAL NATIONAL FEE =				\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =				\$ 1,040.00	
* Based upon entry of the First Preliminary Amendment.				Amount to be: refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,040.00</u> to cover the above fee is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-3550</u> . A duplicate copy of this sheet is enclosed.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:  Pauley Petersen & Erickson 2800 West Higgins Road, Suite 365 Hoffman Estates, Illinois 60195 (847) 490-1400 Fax: (847) 490-1403					
SIGNATURE  Douglas H. Pauley  NAME  33,295  REGISTRATION NUMBER					

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul ROOT  
Title: STAND  
Based Upon: PCT/EP2004/003094  
Express Mail No.: EV478067814US  
Date of Deposit: 16 March 2005  
Customer No.: 42419

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

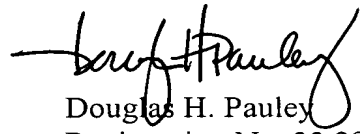
I hereby certify that the following requisites of the subject Patent Application are being deposited with the United States Postal Service as Express Mail Post Office to Addressee No. EV478067814US, on 16 March 2005, and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, together with the items listed below.

- Transmittal Letter (Form PTO-1390) (2 pages), in duplicate
- Executed German Language Declaration (3 pages), attached to a German language copy of the International Application
- Verified English language translation of the International Application
- First Preliminary Amendment (9 pages)

Based Upon: PCT/EP2004/003094

- Transmittal of Substitute Specification (2 pages)
- Substitute Specification attached to a red ink marked-up copy of the verified English language translation
- Form PCT/IB/301
- Form PCT/IB/304
- English language copy of the International Search Report, Form PCT/ISA/210 (3 pages)
- Recordation Form Cover Sheet, together with executed Assignment Document (3 pages total)
- A check in the amount of \$1,040.00 to cover the fees set forth in the Transmittal Letter
- Return Receipt Postcard

Respectfully submitted,



Douglas H. Pauley  
Registration No. 33,295

Pauley Petersen & Erickson  
2800 West Higgins Road; Suite 365  
Hoffman Estates, Illinois 60195  
TEL (847) 490-1400  
FAX (847) 490-1403

W-709  
JAN MCLIN CLAYBERG

PATENT AND TECHNICAL TRANSLATION

JAN MCLIN CLAYBERG \*  
OLAF BEXHOEFT \*\*

5316 LITTLE FALLS ROAD  
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E-MAIL: JMC@CLAYBERG.COM

ACCREDITED BY AMERICAN TRANSLATORS ASSOCIATION  
\* GERMAN AND FRENCH TO ENGLISH  
\*\* ENGLISH TO GERMAN

November 16, 2004

DECLARATION

The undersigned, Olaf Bexhoeft, hereby states that he is well acquainted with both the English and German languages and that the attached is a true translation to the best of his knowledge and ability of the German text of PCT/EP2004/003094, filed 03/24/2004 and published 10/14/2004 under No. WO 2004/088196 A1.

The undersigned further declares that the above statement is true; and further, that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

  
Olaf Bexhoeft

EXPRESS MAIL NO. EV478067814US

MAILED 16 MAR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul ROOT  
Title: STAND  
Based Upon: PCT/EP2004/003094  
Express Mail No.: EV478067814US  
Date of Deposit: 16 March 2005  
Customer No.: 42419

**TRANSMITTAL OF SUBSTITUTE SPECIFICATION**

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

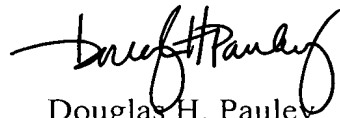
Applicant has enclosed a Substitute Specification attached to a red ink marked-up copy of the verified English language translation of PCT International Application PCT/EP2004/003094. The red ink identifies changes to the verified English language translation which are incorporated in the Substitute Specification.

The Substitute Specification includes general revisions to correct idiomatic translational errors and to provide proper headings. The undersigned states that the Substitute Specification contains no new matter.

Based Upon: PCT/EP2004/003094

Applicant sincerely believes that this Patent Application is now in  
condition for prosecution before the U.S. Patent and Trademark Office.

Respectfully submitted,



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